

REMARKS

This is a response to the Office Action mailed October 17, 2008. Claims 1 and 3-7 were pending in the subject patent application and were rejected by the Examiner. By this submission the Applicant amends claims 1, 5 and 7; and cancels claim 4 without prejudice. No new matter has been introduced.

REJECTIONS UNDER 37 C.F.R. § 103(a)

The rejection of claims 1 and 7 is grounded on the combination of Shigihara (of record) with Sun (of record). In so basing his rejection on this combination, the Examiner has focused on the object and its descriptive properties e.g., vanes. The present application and claims are directed to the method of fabricating this component (object). The Sun and Shigihara references are related as alternate and quite opposite methods for obtaining the cylindrical object with radial vanes. These methods are not subject to combination for that reason and claim 1 ought to be allowed without amendment for that reason. In any event, neither reference teaches obtaining the cylindrical semi-finished body by a step of forging.

However, to conclude this prosecution expeditiously, Applicant proposes further amendment to claim 1. Specifically, the limitations of claim 4 are incorporated into claim 1 making express the second of two forging steps yielding the formation of the cavity 13 in the billet 11 via the subsequent forging step. Claim 4 is thus canceled. The step “mechanically working” is modified stylistically to better accommodate dependent claim 7. Other minor changes are made to secure improved style and clarity.

Claim 7 is amended to accord with standard form.

It should be noted that in the prior Office Action, the Examiner rejected claim 4 relying upon a combination of 4 (FOUR) references to supply the required elements. Applicant is cognizant of the PTO position to the effect that the number of references in a combination is not determinative of the issue of non-obviousness “without more”. MPEP 2145 (v). What is “more” is apparent in the inappropriate combination of one pair of the four-fold combination (Shigihara and Sun) where the claim is directed to method and where the sub-combination is not combinable for the reasons stated above.

CONCLUSION

Amendment of the claims of the present application is believed to place these claims in proper condition for allowance, and an early notice to such effect is earnestly solicited. The Examiner is respectfully requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

Respectfully submitted,

Date: January 15, 2009

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